

### **REMARKS**

Support for the amendments to the Claims can be found in the application as originally filed. No new matter is added.

Applicants have requested that an amended title be entered. The new title is clearly descriptive of the subject matter to which the claims are directed.

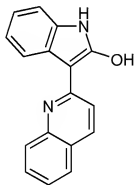
Claims 1 through 50 have previously been presented in this application.

Claims 1 through 17 are cancelled herein; Claims 18 through 33 are withdrawn from examination by the Examiner; Claims 34 through 42 are cancelled herein; Claim 43 through 49 are withdrawn from examination by the Examiner; Claim 50 is amended herein, and New Claims 51 through 64 are presented for examination.

Thus, Claims 50 through 64 are being examined in this application.

#### **Rejection under 35 U.S.C. § 102(b):**

The Examiner has rejected claims 1, 5-7, 10, and 42 as being anticipated by Bruni *et al* (reference provided in the Office action) and has drawn Applicants attention particularly to page 693 thereof. Applicants respectfully point out that the rejected claims have v-been cancelled by the amendment presented herein and, therefore, the rejection is moot. However, Applicants have carefully examined Bruni *et al* and point out that the structure described on page 693, when drawn as compounds are oriented in the present application, is as follows:



. The moiety shown as a quinoline in Bruni *et al* corresponds to the moiety P in the present application. P in the present claims is described to be a “6-membered ring containing one nitrogen.” A quinoline is a 10-membered heterocycle having one nitrogen, and therefore P, as defined in the present claims, does not encompass such a moiety.

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the 102(b) rejection.

**Obviousness Double Patenting:**

The Examiner has provisionally rejected claims 1-10, 34-40, 42 and 50 under the judicially created doctrine of obviousness-type double patenting over the claims of co-pending application 10/572,778.

Applicants respectfully request that the rejection under the judicially created doctrine of obviousness-type double patenting be held in abeyance until allowable claims have been agreed.

**Fees:**

Any necessary claim or other fees are to be charged to and any refunds credited to deposit account 21-0166.

**Conclusion:**

Applicants respectfully submit that the claims as presented are in condition for allowance and solicit further prompt examination on the merits.

Respectfully submitted,

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